

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ALDO MARONES,

Plaintiff,

v.

PATRICIA HERNANDEZ *et al.*,

Defendants.

Case No. 3:20-cv-00689-MMD-WGC

ORDER

Plaintiff Aldo Marones previously filed an application to proceed *in forma pauperis* and submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF Nos. 1-1, 6.) The Court has not yet screened Plaintiff's complaint.

Plaintiff now files a motion for voluntary dismissal. (ECF No. 7 ("Motion").) Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff's Motion because no responsive pleading has been filed in this case. Accordingly, the Court dismisses this action without prejudice.

It is therefore ordered that Plaintiff's motion for voluntary dismissal (ECF No. 7) is granted.

It is further ordered that Plaintiff's application to proceed *in forma pauperis* (ECF No. 6) is denied as moot.

It is further ordered that this action is dismissed in its entirety without prejudice.

The Clerk of Court is directed to enter judgment accordingly and close this case.

DATED THIS 4th Day of March 2021.


MIRANDA M. DU

CHIEF UNITED STATES DISTRICT JUDGE